

## REMARKS

Claims 1 - 21 are pending in the application. Claims 1, 7, and 8 stand rejected under 35 U.S.C. § 102(e) as being anticipated by U.S. Publication No. 2006/0067190 A1 issued to Kurobe et al. Claims 2, 3, 6, 10, 13 and 17-20 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurobe et al in view of JP Doc. No. 09-282696 issued to Kubota et al. Claims 4, 5, 11 and 12 stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurobe et al in view of Kubota and further in view of U.S. Publication No. 2004/0130993 A1 issued to Nadershahi. Claims 9 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurobe et al. Claims 21 stands rejected under 35 U.S.C. § 103(a) as being unpatentable over Kurobe et al in view of Kubota et al and further in view of WO 2003/091935 A3 issued to Stan. Applicants have amended Claims 1, 14, 15, 18 and 19 to address informalities raised by the Examiner. Applicants respectfully traverse the rejections and request reconsideration and full allowance of all pending claims.

Kurobe discloses an optical drive that performs OPC to detect optimum writing power for writing to an optical medium.

Claim 1 recites, in part, “OPC engine operable to perform test writes and reads at plural distributed locations of the optical medium, the test writes having predetermined variations of the write strategy associated with the optical medium, the OPC engine adjusting the write strategy to write the generated information to the optical medium based on the quality of modulated signals read from the test writes at the distributed locations.”

Kurobe cannot anticipate Claim 1 because Kurobe fails to teach, disclose or suggest all elements recited by Claim 1. For instance, Kurobe fails to teach, disclose or suggest “test writes and reads at plural distributed locations of the optical medium” as recited by Claim 1. In paragraph [0136], Kurobe states that the OPC operation “is performed at a test area at the innermost circumference” of the optical medium. Kurobe fails to teach, disclose or suggest test writes at any other location and appears to use the single test write to set zone values. Accordingly, Kurobe cannot anticipate Claim 1. Thus, Applicants respectfully request that the Examiner withdraw the rejection of Claim 1 as well as Claims 2-9 which depend from Claim 1.

Claim 10 recites, in part, “averaging the determined power setting variations for the locations to determine an adjusted write strategy.”

Claim 18 recite, in part, “an OPC (Optical Power Calibration) engine interfaced with the write strategy table, the OPC engine operable to determine a write strategy for an optical medium from the write strategy table and to adjust the determined write strategy’s write power setting by performing test writes and reads at plural distributed locations of the optical medium, determining the power setting at each location that had the lowest read amplitude and jitter variations, and averaging the determined power settings to determine the adjusted write power setting.”

Kurobe and Kubota cannot make obvious Claims 10 and 18 because Kurobe and Kubota fail to teach, disclose or suggest all elements recited by Claims 10 and 18. As described with respect to Claim 1, Kurobe discloses an OPC operation only at a test area in the innermost circumference of the optical medium. The disclosure of Kubota is unclear and therefore cannot provide the element missing from Kurobe. Kubota discusses inner, middle and outer circumferences and a user area, however, the disclosure fails to clearly specify the relationship of the circumferences relative to an optical medium. Accordingly, Applicants respectfully submit that Claims 10-21 are fully allowable over Kurobe and Kubota.

### **CONCLUSION**

In view of the amendments and remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, the examiner is requested to telephone the undersigned.

The Commissioner is authorized to deduct any additional fees which may be necessary and to credit any overpayment to Deposit Account No. 502264.

I hereby certify that this correspondence is being electronically submitted to the COMMISSIONER FOR PATENTS via EFS on December 4, 2006.

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Respectfully submitted,

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